

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BOMBARDIER INC.,

Plaintiff,

v.

MITSUBISHI AIRCRAFT  
CORPORATION, et al.,

Defendants.

CASE NO. C18-1543JLR

ORDER EXTENDING TIME  
REGARDING MOTIONS FOR  
PRELIMINARY INJUNCTION

On April 15, 2019, the court dismissed certain claims by Plaintiff Bombardier Inc. (“Bombardier”) against Defendants Mitsubishi Aircraft Corporation America, Inc. (“MITAC America”), Aerospace Testing Engineering & Certification, Inc. (“AeroTEC”), Michel Korwin-Szymanowski, Laurus Basson, and Cindy Dornéval, but granted Bombardier leave to file an amended complaint. (*See generally* 4/15/19 Order (Dkt. # 136).) Bombardier filed an amended complaint on April 30, 2019. (*See* Am. Compl. (Dkt. # 143).)

Bombardier previously filed two motions for preliminary injunction. (*See* 1st MPI (Dkt. # 4); 2d MPI (Dkt. # 123).) Bombardier's first motion for a preliminary injunction is against MITAC America, AeroTEC, Mr. Basson, and Ms. Dornéval.<sup>1</sup> (*See* 1st MPI at 6.) The parties have fully briefed Bombardier's first motion. (*See id.*; AeroTEC MPI Resp. (Dkt. # 61); MITACA MPI Resp. (Dkt. # 114); Pl. MITACA Reply (Dkt. # 83); Pl. AeroTEC Reply (Dkt. # 86).) Bombardier's second motion for a preliminary injunction is against MITAC Japan, Mr. Delarche, and Defendant Keith Ayre. (*See* 2d MPI at 6.) The second motion is noted for May 15, 2019, with responses due on May 9, 2019. (*See* 4/15/19 Order (Dkt. # 137) at 2.)

Bombardier filed its two motions for preliminary injunction before the court issued its April 15, 2019, order that dismissed certain claims with leave to amend. (*See generally* Dkt.) Bombardier's motions, therefore, potentially rely on outdated or inapposite allegations.

Considering this background, the court ORDERS as follows:

1. Regarding the first motion for a preliminary injunction: Bombardier, MITAC America, AeroTEC, Mr. Basson, and Ms. Dornéval may, but are not required to, update the underlying motion and the responses to the motion by May 7,

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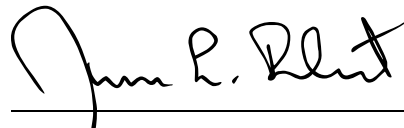
<sup>1</sup> The first motion for a preliminary injunction was also brought against Defendant Marc-Antoine Delarche (*see* 1st MPI at 6) because Bombardier believed that Mr. Delarche worked for AeroTEC (*see* Compl. (Dkt. # 1) ¶ 8). Currently, however, Mr. Delarche works for Defendant Mitsubishi Aircraft Corporation ("MITAC Japan") in Japan. (*See* Am. Compl. ¶ 8.) Bombardier's second motion for a preliminary injunction, which is against MITAC Japan and employees working for that company, therefore requests relief against Mr. Delarche. (*See* 2d MPI at 6.)

2019. All updates should focus on incorporating new material from the amended complaint and addressing issues discussed in the court's April 15, 2019, order. (*See generally* Am. Compl.; 4/15/19 Order.) Bombardier's updates, however, may not add claims under which it seeks injunctive relief. Bombardier may not update its replies.

2. Regarding the second motion for a preliminary injunction: Bombardier may, but is not required to, update the underlying motion by May 7, 2019. All updates should focus on incorporating new material from the amended complaint and addressing issues discussed in the court's April 15, 2019, order. (*See id.*) Bombardier's updates, however, may not add claims under which it seeks injunctive relief. MITAC Japan, Mr. Delarche, and Mr. Ayre's response(s) to the motion must be filed by May 13, 2019. Any reply by Bombardier is due on May 17, 2019.

Any updated brief shall comply with the Local Civil Rules. *See, e.g.*, Local Rules W.D. Wash LCR 7(e)(3) (limiting motions for preliminary injunction and responses to 24 pages). Further, any updated brief will supplant the prior brief.

Dated this 1st day of May, 2019.



JAMES L. ROBERT  
United States District Judge